

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

AMIN KHOURY,

Defendant

Case No. 1:20-cr-10177-PBS

**DEFENDANT AMIN KHOURY’S MOTION FOR LEAVE  
TO FILE MOTION *EX PARTE* AND UNDER SEAL**

Defendant Amin Khoury respectfully moves this Court for leave to file a motion *ex parte* and under seal (“Submission”).

As grounds for the motion, Mr. Khoury states that he requests to file the Submission *ex parte* and under seal because it relates to a Rule 17(c) subpoena, the subject matter of which would reveal confidential trial strategy to the government. *See United States v. Diamont*, Case No. 1:05-cr-10154, ECF No. 33, slip op. at 5 (D. Mass. Nov. 22, 2005) (Dien, M.J.) (“[E]x parte proceedings are available under Rule 17(c) both based on the language of the Rule and for policy reasons.”).

**WHEREFORE**, Mr. Khoury respectfully requests that his motion to file the Submission *ex parte* and under seal be GRANTED.

Respectfully submitted,

AMIN KHOURY,

By his attorneys,

/s/ Eóin P. Beirne

Roy Black (*pro hac vice*)  
BLACK SREBNICK  
201 South Biscayne Boulevard  
Suite 1300  
Miami, FL 33131  
(305) 371-6421  
rblack@royblack.com

R. Robert Popeo (BBO #403360)  
Mark E. Robinson (BBO #423080)  
Cory S. Flashner (BBO #629205)  
Eóin P. Beirne (BBO #660885)  
Mathilda S. McGee-Tubb (BBO #687434)  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
One Financial Center  
Boston, MA 02111  
(617) 542-6000  
RRPopeo@mintz.com  
MERobinson@mintz.com  
CSFlashner@mintz.com  
EPBeirne@mintz.com  
MSMcGee-Tubb@mintz.com

Dated: May 11, 2022

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1**

I, Eóin P. Beirne, hereby certify that I did not confer with counsel for the government regarding this motion as the underlying Submission would be made *ex parte* and under seal.

/s/ Eóin P. Beirne

Eóin P. Beirne

**CERTIFICATE OF SERVICE**

I, Eóin P. Beirne, hereby certify that on May 11, 2022, I filed the foregoing with the United States District Court for the District of Massachusetts using the CM/ECF system and caused it to be served on all registered participants via the notice of electronic filing.

/s/ Eóin P. Beirne

Eóin P. Beirne